

FILED

JUL 30 2008

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

1 PAUL STELLY -F86444
 2 PLAINTIFF IN PRO SE
 3 SAN QUENTIN STATE PRISON
 4 SAN QUENTIN, CA 94974

5 IN THE UNITED STATES DISTRICT COURT
 6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

7
 8
 9 PAUL STELLY,
 10 Plaintiff,
 11 vs.
 12 ELAINE TOOTELL et.,al,
 13 Defendant

Case No. CV 08 1997 CW (PR)

PRO SE NOTICE OF MOTION AND
 MOTION FOR REFERRAL TO EARLY
 SETTLEMENT PROGRAM

14
 15 The Petitioner (Paul Stelly) wishes to give Notice to the Defendants, their Attorney(s)
 16 of Record and the Court, that as soon as the matter can be heard, Petitioner requests
 17 the court to make an order to grant this motion, and to refer this matter to The Early
 18 Settlement Program. Pursuant to the guidelines set forth by United States Magistrate
 19 Judge Nandor Vandas for resolution, the Petitioner desires referral to early settlement
 20 to remedy this matter expeditiously, and thereby avoid further stress and detriment to
 21 his physical and mental health.

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 23
 24 In addition, to the remedies sought in the Plaintiffs initial claim (Injunctive Relief and
 25 compensation for Punitive Damages), Plaintiff wishes to amend and not to leave
 26 monetary compensation up to the courts discretion as formerly stated. The Plaintiff
 27 instead, wishes now to amend the complaint to request a monetary settlement award
 28 of \$50,000.00, or a sum commiserate with his pain, suffering, embarrassment, his
 29 deterioration of health, and his quality of life. The Plaintiff further asks that he be

1 awarded this sum, and that the sum be placed in an account of his choosing and
2 which has no affiliation with San Quentin State Prison, its employees, or entities
3 contracting with the California Department of Corrections or San Quentin State
4 Prison.

5 The Plaintiff prays that this referral to Early Settlement be granted, and that he be
6 awarded compensation, as requested upon proof of liability by the Defendants
7 independently or collectively.
8

9
10 Dated this 28th day of July, 2008.

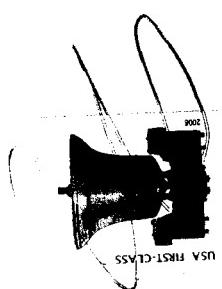

13 SAN QUENTIN STATE
14 PRISON
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PAUL STELLY • F-86444
SAN QUENTIN STATE PRISON
SAN QUENTIN, CALIFORNIA
94974

94974

OFFICE OF THE CLERK
U.S. DISTRICT COURT - NORTHERN DISTRICT
OF CALIFORNIA
1301 CLAY STREET, SUITE
400S
OAKLAND, CA
94612-5212

"LEGAL MAIL"
PLEASE ACKNOWLEDGE RECEIPT!



cc f Lee